

09/08/03 15:22 FAX 608 218 6910

MC Madison

001

**PATENT**  
Attorney Docket No. HOGAN-06650

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kirk Hogan  
Serial No.: 09/976,423  
Filed: 10/12/01  
Entitled: Methods And Compositions For Perioperative  
Genomic Profiling

Group No.: 1634  
Examiner: J.A. Goldberg

**RECEIVED**  
**CENTRAL FAX CENTER**

SEP 09 2003

**FACSIMILE TRANSMISSION**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**OFFICIAL**

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(B)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted by facsimile to Examiner J.A. Goldberg at (703) 746-5149.

Dated: September 8, 2003

By: Mary Ellen Waite  
Mary Ellen Waite

I hereby certify that I have sent via facsimile the following documents to Examiner J.A. Goldberg at facsimile no. 703/746-5149.

1. Amendment Transmittal (1 page)
2. Amendment And Response To Final Office Action Dated July 8, 2003 (15 pages)
3. Declaration Of Morris Waxler, Ph.D. Under 37 CFR 1.132
4. Authorization to charge Deposit Account No. 08-1290 any fees associated with this communication or credit any overpayment to the deposit account (2 pages).

Dated: September 8, 2003

Mary Ellen Waite  
Mary Ellen Waite  
MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
608/218-6900

**PATENT**  
Attorney Docket No. **HOGAN-06650**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kirk Hogan  
Serial No.: 09/976,423  
Filed: 10/12/01  
Entitled: **Methods and Compositions for Perioperative Genomic Profiling**

Group No: 1634  
Examiner: J.A. Goldberg

**AMENDMENT TRANSMITTAL**

**RECEIVED**  
**CENTRAL FAX CENTER**

**SEP 09 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(g)(1)(i)(B)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being sent by facsimile transmission to the U.S. Patent and Trademark Office, via Examiner J.E. Goldberg at (703) 746-5149.	
Dated: <u>September 8, 2003</u>	By: <u>Mary Ellen Ysita</u> Mary Ellen Ysita

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	23	—	27	4	×	18.00	\$72.00
Independent Claims	2	—	3	0	×	84.00	\$0.00

**TOTAL DUE** **\$36.00**

- No fees are due at this time.
- Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: September 8, 2003

By: David A. Casimir

David A. Casimir  
Registration No. 42,395

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
608/218-6900

**PATENT**

Attorney Docket No. HOGAN-06650

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kirk Hogan  
Serial No.: 09/976,423 Group No.: 1634  
Filed: 10/21/2001 Examiner: J.A. Goldberg  
Entitled: Methods and Compositions for Perioperative Genomic Profiling

**AMENDMENT AND RESPONSE TO FINAL OFFICE  
ACTION DATED JULY 8, 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)(1)(i)(B)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being sent by facsimile transmission to the U.S. Patent and Trademark Office, via Examiner J.E. Goldberg at (703) 746-5149.

Dated: 9-8-03

By: Mary Ellen Waite  
Mary Ellen Waite

Madam:

The following communication is responsive to the Final Office Action mailed July 8, 2003, due on or before September 8, 2002 to provoke an Advisory Action. The Applicant respectfully requests reconsideration of the Application in view of the following amendment and remarks.